HIGH COURT OF UTTARANCHAL AT NAINITAL

Modification Application No. 9458 of 2003
in
Writ Petition No. 1223 of 2002

Sri Anand Kumar Sharma s/o Sri Ram Mohan
R/o Mohalla Singhan, Kashipur,
District Udham Singh Nagar ……. Petitioner

Versus

1. Additional Comissioner, Kumaon Division
2. Assistant Collector, Udham Singh Nagar
3. Sri Sriprakash s/o Sri Ved Prakash
4. Sri Om Prakash s/o Sri Ved Prakash
5. Sri Chandra Prakash s/o Sri Ved Prakash
6. Sri Hari Prakash s/o Sri Ved Prakash
7. Sri Deepak Kumar s/o Sri Ved Prakash
8. Sri Balbeer Singh s/o Sri Dharmveer
9. Sri Greesh Chand s/o Sri Dharmveer
10. Sri Pradeep Kumar s/o Sri Dharmveer
11. Sri Anil Kumar s/o Sri Dharmveer
    All residents of Mohalla Ganj, Kashipur
    District Udham Singh Nagar.
12. State of Uttaranchal
13. Nagar Palika Parishad, Kashipur. ……..... Respondents

Sri Ramji Srivastava, Advocate for the petitioner
Standing Counsel &Sri Jagdish Prasad, Advocate for the respondents

Dated: 14th October 2003

Hon'ble Rajesh Tandon J.

Sri Ram Ji Srivastava, Advocate has moved the present modification application. Copy has been served on Sri Jagdish Prasad, Advocate. The applicant has prayed that the order dated 1.10.03 of the Court may be modified and some other Advocate may be appointed as

Vakil Commissioner in place of Sri Sarvesh Agrawal as the happened to be counsel in the said case before the court below.

In view of the facts and circumstances both the parties have agreed that the order dated 1.10.03 may be modified.

The order dated 1.10.2003 is modified to the extent that Sri Gopal Verma, Advocate, Udham Singh Nagar is appointed Advocate Commissioner instead of Sri Sarvesh Agrawal for investigation under Order 26 Rule 9 CPC as mentioned in the earlier order with the same terms and conditions.

(Rajesh Tandon, J.)

14.10.2003

Dhyani